

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**UNITED STATES OF AMERICA**

**v.**

**CURTIS JOHNSON,**

**Defendants.**

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**CRIMINAL NOS. 24-mj-2432**

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**MOTION TO EXCLUDE TIME  
UNDER THE SPEEDY TRIAL ACT**

The United States of America, by and through its counsel, Erik L. Barron, the United States Attorney for the District of Maryland, and LaRai Everett and Jonathan Tsuei, Assistant United States Attorneys for the District of Maryland, respectfully submits this Motion to Exclude Time Under the Speedy Trial Act, and moves to exclude time from the speedy trial calculation pursuant to Title 18 U.S.C. § 3161(h) from October 2, 2024 through October 16, 2024. In support of its motion, the United States submits as follows:

1. The Speedy Trial Act, 18 U.S.C. § 3161, requires that a defendant be brought to trial within 70 days of indictment or initial appearance, whichever is later. 18 U.S.C. § 3161(c)(1). The Act also provides for various circumstances under which time may be excluded from the speedy trial computation—for example, upon a finding by the Court that “the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.” *Id.* § 3161(h)(7)(A). Among the factors the Court considers in granting such a motion is whether failure to grant a continuance would result in a “miscarriage of justice,” and whether failure to grant a continuance would deny counsel for a defendant or the government “the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.” *Id.* §

3161(h)(7)(B)(i), (iv).

2. On October 1, 2024, federal complaint was authorized by the Honorable Erin Aslan charging Defendants Larry Adams, Curtis Johnson, Orlando Thompson, Rodrick Simms, Juan Lamont Johnson, Demarco Watkins, Sheldon Wells, Abdallah Simms, Aureon Johnson, Keo Williams, Tijee Benett with violating 21 U.S.C. § 846. ECF No. 1.

3. On October 2, 2024, all of the above-named Defendants were arrested and had their initial appearances on the complaint.

4. Defendants Curtis Johnson, Orlando Thompson, Rodrick Simms, Juan Lamont Johnson, Demarco Watkins, Sheldon Wells, Aureon Johnson, Keo Williams, and Tijee Benett are currently on pre-trial release. Defendants Larry Adams and Sheldon Wells have been ordered detained by agreement. Defendant Abdallah Simms is scheduled to have his detention hearing on October 10, 2024.

5. The Government is preparing its initial discovery production for all counsel. There is voluminous discovery in this matter and the Government intends to provide discovery in the next several weeks and any additional discovery on a rolling basis.

6. The Government now requests that the period from October 2, 2024 through October 16, 2024 be excluded from computation under the Act. The requested period will allow the government to prepare and produce discovery and will allow defense counsel sufficient time to review discovery materials and communicate with the Defendant once discovery is received. Additionally, the requested period will allow counsel for both parties to discuss a potential pretrial resolution of the case. A plea disposition would serve the interests of justice because it would allow the parties to enter a mutually acceptable and beneficial disposition and would also preserve the resources that might otherwise be expended in a trial. Finally, should plea discussions fail, the

requested exclusion will give the parties sufficient time to prepare for trial.

7. Therefore, in this case the ends of justice served by extending the computation of time under the Speedy Trial Act outweigh the interests of the Defendant and the public in a speedy trial, and the resulting delay is permissible pursuant to 18 U.S.C. § 3161(h)(7).

8. Counsel for Defendants Larry Adams, Curtis Johnson, Olando Thompson, and Demarco Watkins consent to the requested exclusion of speedy trial time. Counsel for Defendant Keo Williams objects to the requested exclusion of speedy trial time. Counsel for the remaining Defendants have not provided their position with regard to the requested exclusion.

WHEREFORE, the Government respectfully requests that this Court exclude time under the Speedy Trial Act for the period from October 2, 2024 through October 16, 2024, in conformance with the proposed draft order submitted herewith.

Respectfully submitted,

Erek L. Barron,  
United States Attorney

By: /s/  
Jonathan S. Tsuei  
Assistant United States Attorney  
36 S. Charles Street, Fourth Floor  
Baltimore, Maryland 21201  
Phone: (410) 209-4800

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing was filed with the Clerk of the Court using the CM/ECF system on October 7, 2024.

By: \_\_\_\_\_/s/\_\_\_\_\_  
Jonathan S. Tsuei  
Assistant United States Attorney

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**ORDER**

Upon consideration of the Government's Motion to Exclude Time Under the Speedy Trial Act, the Court finds as follows:

Periods of delay that extend the time within which trial should commence include delays granted by the Court on the basis of a finding that the ends of justice are served by taking such action outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

Allowing additional time to be excluded under the Speedy Trial Act is appropriate in this case in order to allow the Government to prepare and produce the voluminous discovery in the case and to allow counsel for the Defendants a meaningful opportunity to review that voluminous discovery, consult with their clients, consider any plea offers, and for the Defendants to decide whether to accept such an offer or proceed to trial. A plea disposition would serve the interests of justice because it would allow the parties to enter a mutually acceptable and beneficial disposition and would also preserve the resources that might otherwise be expended in a trial. As a result, the circumstances of this case permit such a delay and an exclusion of time during this period, and failure to continue this case would result in a miscarriage of justice.

In addition, counsel for Defendants Larry Adams, Curtis Johnson, Olando Thompson, and Demarco Watkins consent to the requested exclusion of speedy trial time.

Therefore, because the interest of justice served by such a delay outweighs the interests of the Defendant and the public in a speedy trial, the period from October 2, 2024 through October 16, 2024 is excluded from computation under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7).

IT IS HEREBY ORDERED pursuant to 18 U.S.C. § 3161(h)(7), that the period from October 2, 2024 through October 16, 2024, shall be excluded from computation under the Speedy Trial Act; and

The Clerk of the Court shall provide a copy of this Order to all counsel of record.

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Date

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The Honorable Erin Aslan  
United States Magistrate Judge